



# The Research Review



PUBLISHED BY THE RESEARCH DIVISION OF THE TENNESSEE HOUSE OF REPRESENTATIVES

March 15, 2006



Members of the House who are University of Tennessee Alumni posed recently with UT President John Petersen, Basketball Coach Bruce Pearl and Athletic Director Mike Hamilton.

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With the announcement of the third confirmed case of mad cow disease (bovine spongiform encephalopathy or BSE) in neighboring Alabama, the **House Agriculture Committee** devoted the first part of its meeting to an update from the state Department of Agriculture.

State Veterinarian Ron Wilson told members the positive testing was confirmed Sunday night, March 12<sup>th</sup>, at eleven p.m. and that the announcement by the USDA was made the following day. Wilson said the 10-year-old affected animal was born prior to the implementation of the Food and Drug Administration's 1997 feed ban, and that this is the second confirmed case of BSE since those regulations went into effect. He said the animal was treated earlier for metabolic disease and that the owner had consented to have her tested. After being euthanized, the cow did not enter the food chain, nor was it rendered into the waste stream. He added that they are carefully tracking any animals that may have been from the cow's birth cohort (i.e., animals born in the same herd within one year of the affected animal), or that may have consumed the same feed.

When questioned by the committee about Tennessee's precautions, Wilson said the state has exceeded its quota in the testing process – 5,700 animals. According to USDA statements, since June of 2004, samples have been submitted from more than 650,000 animals from high risk populations and more than 20,000 from clinically normal, older animals. The initial positive case was in December, 2003.

Following the update, the committee began hearing the seven bills on calendar.

Two bills were **sent to Calendar and Rules: HB 3066** (Shepard) and **HB 3342** (Davidson). HB 3066 revises admission requirements for UT's College of Veterinary Medicine and requires the Board of Veterinary Medical Examiners also to require a written exam in food animal medicine for those applying for a veterinary license. As amended in committee, HB 3342 makes the practice of artificial insemination on livestock (as livestock is defined in the code) an "accepted livestock management practice" and exempts it from veterinary licensure requirements.

The remaining five bills were rolled. HB 0263 and HB 3604 (Stanley) were rolled for one week. Both bills allow locals to ban smoking in public buildings and certain restaurants. In rolling the bills, Rep. Stanley said he wanted responses from the Municipal League and Germantown Mayor Goldsworthy. Also rolled for one week was HB 2548 (Hackworth), prohibiting smoking in public restaurants and amending the Children's Act for Clean Indoor Air. HB 3482 (Shaw), increasing the cigarette tax, was rolled to the last calendar.

The bill that stops any animal feed, nutritional supplements, medicines or anything containing specified

Rep. Niceley



risk material from a ruminant from being given to an animal, HB 3296 (Niceley), generated some discussion in light of the BSE update given by state agricultural officials. Rep. Niceley said the federal government will probably do the same thing, but he wanted time to get more information. The bill was rolled for one week.

Vice Chair Bone announced that next week, one of his constituents, a veterinary student who wants to return home to practice large animal medicine, will speak to the committee. The issue of students going into large animal practices has been one the committee has discussed at length. Chairman Davidson also reminded the committee that "Ag Day on the Hill" will be observed next Wednesday, March 22<sup>nd</sup>.

There was a moment of silence before adjournment in remembrance of Rep. Jack Sharp who served on the Agriculture Committee.



The **Children & Family Affairs Committee** did not meet this week.

The **Family Justice Subcommittee** met on Tuesday, March 14, and the following bill was deferred for 2 weeks:

**HB 2767 (Hackworth)** creates an additional consideration for the courts when determining child support if the non-custodial parent was the victim of rape or statutory rape which resulted in the conception of the child for whom the child for whom support is sought.

The **Domestic Relations Subcommittee** met on Tuesday, March 14, and the following actions were taken:

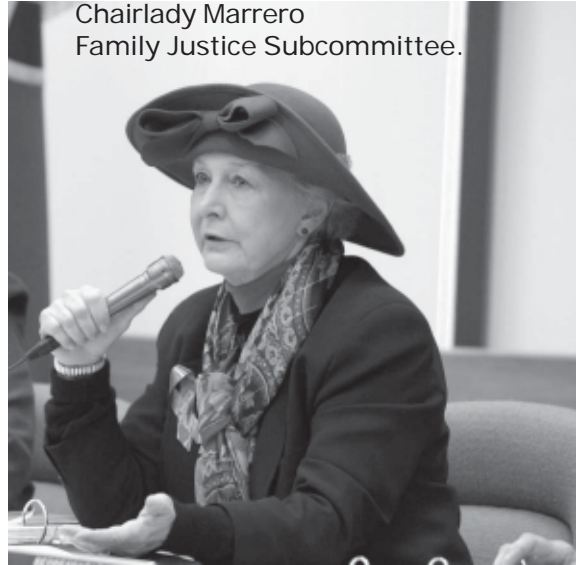
**HB 1961 (Stanley)** which removes the requirement that a guardian ad litem must follow Supreme Court Rule 40 in child custody and visitation cases was taken off notice.

**HB 3692 (Hackworth)** that creates a child support study committee was passed to full committee.

Rep. Stanley



Chairlady Marrero  
Family Justice Subcommittee.



## Full Committee

The **Commerce Committee** met Tuesday to consider 3 bills.

### Bills Moved to Calendar and Rules:

**HB 2673** (Sontany) – This bill makes minor changes to the motor vehicle title law. It deletes the obsolete term “permit to dismantle,” and replaces it with salvage title terminology. This bill increases to a Class A misdemeanor the penalty for not keeping proper records of dismantled vehicles, or for violating salvage vehicle provisions; and, further, adds the penalty of perjury when submitting in writing that no stolen parts were used when repairing a salvaged vehicle.

**HB 1699** (Roach) – This bill, with an amendment by the Commerce Committee that rewrites the bill, reestablishes provisions

for car manufacturers in the state to lease their vehicles to their own employees without having to register under the state’s motor vehicle sales licenses requirements. This same language passed last year in Public Chapter 443, but will sunset March 30, 2006. As amended, these provisions will not expire, but will continue indefinitely. The amendment further clarifies last year’s legislation, requiring that vehicles only be leased to regular full-time working employees in this state.

### Bills Rolled Two Weeks:

HB 2786 (McKee)

## Small Business

The **Small Business Subcommittee** met Tuesday to consider 1 bill.

### Bills Moved to Full Committee:

**HB 3507** (Tindell) – This bill would exempt persons who sell items on online auction sites, including those who do so for others for profit, from having to register as licensed auctioneers.

## Industrial Impact

The **Industrial Impact Subcommittee** met Tuesday with 12 bills on its calendar.

### Bills Moved to Full Committee:

**HB 2559** (Jones, S.) – Under current law, licensed contractors who install alarm systems, but who do so

as less than 50 percent of their business, are exempt from registering and complying with the requirements for alarm systems installers and monitoring. This bill deletes that exemption. Thus, anyone in the state who installs alarms systems must undergo background checks to install alarm systems.

**HB 2447** (McDonald) – This bill, as amended by Industrial Impact, requires all property insurance companies in the state to offer sinkhole insurance, whether as part of existing property policies, or through additional policies. The bill requires inspection by the insurance company before approval of a claim, and concurrence by a licensed geologist before a claim can be denied. The bill also gives provisions for the insurance company to recoup some costs if a claim is made without good faith.

**HB 3454** (Coleman) – This bill authorizes the Tennessee Real Estate Commission to dismiss groundless complaints, and imposes a one year statute of limitations to bring complaints before the board.

**HB 3825** (Hargrove) – This bill adds shares of capital stock of a federal home loan bank to those securities that may be allowed as a credit against liabilities. This bill applies only to Tennessee domestic insurance companies.

### Bills Rolled One Week:

HB 2582 (West)  
HB 2971 (Cooper)  
HB 3103 (P. Johnson)  
HB 3463 (Miller)  
HB 3971 (McDonald)  
HB 3046 (McDonald)

### Bills Rolled Four Weeks:

HB 2855 (Hackworth)  
HB 2880 (Hackworth)

## Utilities and Banking

The **Utilities and Banking Subcommittee** did not meet, the one bill on its calendar, was taken off notice, thus canceling the committee.

### Bills taken off notice:

HB 2849 (Curtiss)

Rep. Sontany



Rep. McDonald

## Full Committee

The full **Conservation and Environment Committee** did not meet this week.

## Environment Subcommittee

The **Environment Subcommittee** met on Wednesday, March 15, 2006 to hear four bills. **HB2553** (Shaw), **HB3305** (Shaw) and **HB3649** (Hawk) were deferred for one week. An amendment rewriting the bill was adopted for **HB3438** (Lynn) requiring an Advanced Treatment System to comply with all applicable zoning requirements prescribed by the city or county where the property is located. After adoption of the amendment, the bill was deferred for one week.

## Parks and Tourism Subcommittee

The **Parks and Tourism Subcommittee** met on March 14, 2006, to consider three bills, with each bill being passed and **referred to full Conservation** as follows:

### **HB2887**

(Rowland) - Decreases from .10 percent to .08 percent blood alcohol content necessary to constitute offense of boating under influence.



Chariman Tidwell  
Parks Sub

**HB3994** (Ferguson) - Adds Rugby and Stillhouse Hollow Falls to scenic-recreational areas; adds Campbell Bend Barrens, Crowder Cemetery Barrens, Pogue Creek, and Walls of Jericho to natural-scientific areas; revises acreage of Sequatchie Cave and Manus Road Cedar Glade natural-scientific areas.

**HB2549** (Hackworth) - Urges TDEC to hire minors to work in state parks in non-hazardous duties and requires the commissioner to report annually to the Senate Environment, Conservation and Tourism Committee and the House Conservation and Environment Committee regarding the number of minors employed.

## Wildlife Subcommittee

The **Wildlife Subcommittee** met on March 14, 2006, to consider two bills. **HB616** (McCord) was passed and **referred to full committee** to be held there with **HB2491** (Borchert), which is already in full committee. Between the two bills an issue with an amendment, previously adopted by the subcommittee but was outside the caption of HB2491, will be sorted out in full committee. **HB3550** (McCord) was passed and **referred to full committee**. The bill authorizes the Wildlife Resources Commission

to promulgate rules and regulations to create a one-year, one-time only permit for a fee to exempt certain persons from completing hunter education course requirements.

The **Full Committee** met Tuesday, March 14, 2006, to hear two bills. Both bills were passed out of committee to Calendar and Rules.

**HB 2578** (West) requires drug-free workplace credits be based on an employer's annual premiums and those credits be given equally over the premium payment schedule. This particularly benefits smaller companies to which a \$200 to \$300 monthly premium represents a large percentage of their operating budget. This bill was passed out to Calendar and Rules.

**HB 2574** (West) addressing the sale of a gift certificate was rewritten with an amendment. The bill as amended prohibits the sale of a gift certificate with an expiration date that is less than two years after purchase and during those two years no other fees may be charged to that gift certificate that would reduce the total amount of the gift certificate.

This bill does not apply to gift certificates distributed in an awards, loyalty or promotional program without any money or other thing of value being given in exchange, nor does it apply to certificates sold below face value. This bill was passed out to Calendar and Rules.

Chairman West announced that all bills in the Consumer and Employee Affairs Committee would be put on notice and the sponsors notified. This is being done in an effort to complete committee business and close the committee in a timely manner.

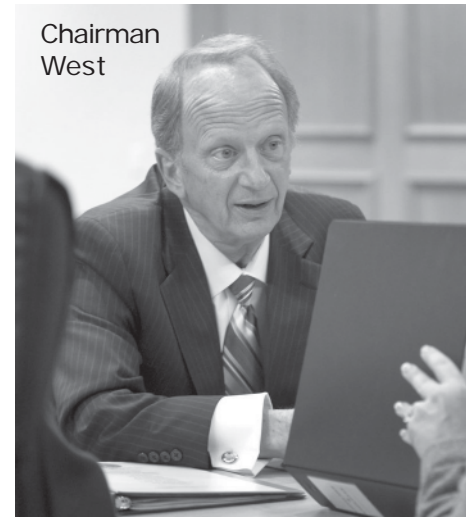
**Consumer Affairs Subcommittee** met Tuesday, March 14, 2006 with six bills on the calendar. Four bills were rolled two weeks. They are listed below.

**HB 2626** (Hargett) which makes charging a restocking fee for defective goods an unfair or deceptive act under the Consumer Protection Act, was rolled two weeks.

**HB 3051** (Todd) which allows consumers to place a security freeze on their consumer credit reports was rolled two weeks.

**HB 3481** (Kernell) requires a consignor and a consignee to include certain language concerning the right of the consignor to file a UCC-1 financing statement with the Secretary of State to protect the consignee's security interest in the property. If the statement is not filed, the property of the consignor may be subject to seizure if the consignee declares

bankruptcy. This bill was rolled two weeks.



**HB 3493** (Moore) prohibits sale within and importation of secondhand mattresses to state by manufacturers, wholesalers and retailers; prohibits offer of comfort exchange policies pursuant to sale of mattresses. A violation is punishable as a misdemeanor, fine only. This bill was rolled two weeks.

**HB 3105** (Maddox) creates the Anti-Phishing Act of 2006 and makes it an unfair or deceptive act or practice under the Tennessee Consumer protection Act of 1977 to use any electronic means to obtain or access another person's financial records or identity in order to obtain goods or services and prohibits the unauthorized sale or distribution of another person's financial records or identification documents. A violation is punishable as a Class B misdemeanor, through the levying of civil penalties and through private rights of action. This bill was passed to the full committee.

**HB 3108** (Cooper) requires automobile dealers of pre-owned motor vehicles to provide purchasers of such motor vehicles with a copy of an express warranty that such vehicles are free from extraordinary defects. An amendment was offered that follows the bill into full committee. The amendment rewrites the bill requiring a dealer of pre-owned vehicles to provide emission testing and vehicle inspection when the purchaser is from a city that requires same and the vehicle has not been tested or inspected within ninety (90) days prior to the sale.

Chairman Turner announced that Consumer Affairs Subcommittee would not meet March 21, 2006 but would resume March 28, 2006 with a full calendar.



**Employee Affairs Subcommittee** met March 15, 2006 to hear five bills, four of which were rolled one week.

**HB 2883** (Turner M) prohibits denial of unemployment benefits to an individual who leaves work or is discharged due to circumstances resulting from the person's being a victim of domestic violence, stalking, aggravated stalking, or especially aggravated stalking. This bill prohibits an employer's account from being charged for payment of unemployment to person who leaves work because of domestic violence. The bill was rolled one week.

**HB 2885** (Turner M) would raise the minimum wage to \$7.15. According to the U.S. Department of Labor Tennessee is one of 6 states with no minimum wage law. The bill was rolled one week. Chairman Hack-worth announced that all minimum wage bills would be put on the calendar next week.

**HB 2886** (Turner M) provides for workers' compensation coverage for workers with an occupational disease involving a disease or condition covered by the federal Energy Employees Occupational Illness Compensation Program Act that has developed to such an extent that it can be diagnosed as an occupational disease (for example, beryllium disease, cancer, or silicosis). The bill was rolled one week.



**HB 3593** (Rowland) requires an employer contracting with independent contractor who will be issued IRS Form 1099-MISC to verify independent contractor's taxpayer identification number with social security administration. Rep. Rowland offered two verbal amendments which were adopted by voice vote. The first amendment would change the words "taxpayer identification" to "social security". The second amendment changed the words "independent contractor" to "individual". This bill was rolled one week.

**HB 2499** (McDonald) requires an employer to provide written notice of its policy regarding employee smoking at the work place to each employee prior to employment was passed to full committee.



## Full Committee

The Education Committee met March 15 to consider its calendar. Action follows.

### **Referred to Calendar & Rules:**

**HB 2442** – (Moore) requires the Departments of Education and Health to develop guidelines for children with life-threatening food allergies. The guidelines should include education and training of school personnel; procedures for responding in such a situation; development of individual health plans for every student with this type allergy; and steps to prevent such occurrences. Based on the developed policy, each LEA shall implement a management plan by July 1, 2007.

### **Referred to Finance, Ways & Means, if amended:**

**HB 3547** – (McCormick) changes present law to double the size of commercial advertising on rear quarter panels of school buses. It further allows for signs to be printed in color as opposed to the black and white language presently in the Code. Each LEA shall adopt a policy on this form of advertising based on rules and regulations of the State Board of Education. The bill was amended to add that such contracts must be by competitive bid.

### **Deferred 1 week:**

**HB 2439** – (Turner, M.)

**HB 3055** – (McCormick)

### **Taken Off Notice:**

**HB 2511** – (Cobb)

## Higher Ed Subcommittee

The Higher Ed Subcommittee met Wednesday to consider its calendar and hear two presentations. Calendar action follows:

### **Referred to Full Committee:**

**HB 3363** – (Maddox) allows children of public school teachers and technology coordinators of Tennessee public schools to be eligible for a 25 percent discount at any state college or university.

**HB 3526** – (Maddox) requires all public higher education institutions to place in various publications a warning that misrepresentation of academic credentials constitutes a Class A misdemeanor.

### **Deferred 1 week:**

**HB 2607** – (McCormick)

**HB 2841** – (Coleman)

**HB 3312** – (Hargett)

The subcommittee received a report from Dr. Brian Noland on the Annual Report of the Tennessee Education Lottery Scholarship Program. This report can be obtained on the THEC web site.

Darolyn Porter, Tennessee Student Assistance Corporation, addressed the subcommittee on the impact of Federal changes on Pell Grants and student loans. Ms. Porter is the Compliance Administration Student Financial Aid.

## K-12 Subcommittee

The K-12 Subcommittee met Tuesday to consider its calendar. Action follows.

### **Referred to Full Committee:**

**HB 2460** – (Hackworth) encourages LEAs to recycle and requires the department of education to provide guidelines for recycling curriculum.

**HB 2545** – (Ferguson) decreases annually the percentage paid by teachers with 30 years of service for health insurance.

**HB 3025** – (Maddox) requires public school educational assistants to have a high school diploma or GED.

**HB 3523** – (Maddox) excuses children from school when a parent or guardian is deployed to or returns from military service.

**HB 3750** – (Fitzhugh) requires LEAs to incorporate a minimum of 30 minutes of physical activity three times a week into the instructional school day. This would apply for elementary and secondary schools.

### **Referred to Full Committee, if amended:**

**HB 2674** – (Montgomery) sets guidelines for a returning tenured teacher who returns to teaching.

**SJR 602** – (McLeary) names March “Credit Education Month.”

### **Deferred 1 week:**

**HB 2923** – (Hill) **SJR 38** – (Ketron)



Rep.  
Maddox

# EDUCATION

**Deferred 2 weeks:**

**HB 2606** – (McCormick)

**HB 2646** – (McCormick)

**Deferred 3 weeks:**

**HB 2657** – (Bunch)

**HB 3381** – (Borchert)

**HB 3528** – (Dunn)

**HB 3244** – (Brooks, Harry)

**HB 3524** – (Maddox)

**Deferred 4 weeks:**

**HB 3522** – (Maddox)

**Taken Off Notice:**

**HB 2470** – (Baird)

**HB 2647** – (McCormick)

**HB 3245** – (Brooks, Harry)

**Withdrawn:**

**HB 3180** – (McCormick)

## The Full Committee

The House Finance, Ways, and Means Committee met on Tuesday, March 14, 2006 with only one bill on calendar, **HB 2547**, which was **recommended for passage and referred on to Calendar and Rules.**



**HB 2547 by Rep. Fowlkes** increases the penalty for failure to “move over” or yield the right-of-way to a stationary or approaching emergency vehicle. The penalty would change from a Class C to a Class B misdemeanor, which is punishable by a fine ranging from \$100 to \$500 and/or imprisonment of not more than thirty days. The bill further encourages the Department of Transportation to alter existing signs to inform the public of the punishment. The bill ‘passed’ from the committee on a voice vote and was referred to C&R.

Dr. Gary Nixon

Budget Hearings continued this week. On Tuesday, the committee heard a brief presentation of the Tennessee Education Lottery’s budget from CEO and President Rebecca Paul. Wednesday’s budget hearing was of the K-12 Education department and the State Board of Education. The Department of Education Commissioner Lana Sievers and the State Board of Education Director, Dr. Gary Nixon, both testified in front

of the committee as well as several staff persons from the department. The budget hearings scheduled for Thursday have been postponed in respect for the passing of Rep. Jack Sharp and so members may attend his funeral service. The budget hearings of the department of Aging and Veteran Affairs, which were previously scheduled for this day, will be rescheduled and announced at a later date.

## The Budget Subcommittee

The Budget Subcommittee of the House Finance, Ways, and Means Committee met on Wednesday, March 14, 2006, with 16 bills on calendar.

Subcommittee Actions for these sixteen bills are as follows:

### Off Notice:

**HB 2974** — Cooper, B. (*at the request of the sponsor*)

### Behind the Budget:

**HB 126** — Turner, M.

### Deferred One Week:

**HB 2745** – Crider

**HB 740** – Stanley

**HB 2568** – West

**HB 1655** — Maddox

**HB 2044** — Maddox

### Deferred One Week with a Budget Subcommittee Amendment:

**HB 2535** – Baird (*The Budget Sub. amdt. deletes solar heating for swimming pools and hot tubs from the tax exemption given within the bill.*)

**HB 2969** – Cooper, B. (*The Budget Sub. amdt. sunsets the program in two years to thus let the legislature review the success of the program at that time.*)

**HB 2768** – Hargett (*The Budget Sub. amdt. changes the property tax exemption criterion set forth within the bill from a minimum ground lease of fifty years to one of seventy years.*)

### Deferred Two Weeks:

**HB 3362** – Miller, L.

### The following bills were referred to Full Committee:

**HB 2468 (Baird)** designates the National Guard Armory in Jacksboro as the “Staff Sergeant Barton Siler National Guard Armory.” The signs will be paid for by non-state sources.

**HB 3182 (Hargrove)** brings Tennessee in line with twenty-three other states, allowing persons to have three years to claim abandoned securities and dividends under the Unclaimed Property Act.

**HB 2640 (Hawk)** authorizes the Green County Clerk to serve as the county’s probate court clerk.

**HJR 124 (McMillan)** is the second General Assembly reading of the constitutional amendment proposal which allows for a referendum authorizing local governments to provide additional property tax relief to senior citizens. The resolution would be placed on the November 2006 regular general election ballot.

**HB 2440 (Swafford)** directs TDOT to manufacture and place directional signs for the Military Memorial Museum of Cumberland County on I-40 at Exit 317 in Cumberland County. Signs will be paid for by non-state funds.

The **Government Operations Committee** convened on Wednesday, March 15, 2006 to consider fifteen bills on the calendar. **HB 2789 (R. Johnson)** was rolled for two weeks and **HB 3354 (M. Turner)** was rolled for one week. **HB 3543 (Kernell)** and **HB 3706 (Armstrong)** were both taken off notice.

After considerable discussion, the committee **reviewed and referred HB 3318** by **Representative Mike Turner** to the Consumer and Employee Affairs Committee. This legislation enacts the “Tennessee Minimum Wage Act”, which would increase Tennessee’s minimum wage from \$5.15 to \$6.15. The Commissioner of Labor and Workforce Development would be authorized to promulgate the rules and regulations in order to enforce the provisions of this legislation. The bill was sent out on a 7-5 vote with a positive recommendation.

**HB 3402** by **Representative McMillan** was **reviewed and referred** to the Consumer and Employee Affairs Committee. This legislation also increases the minimum wage in Tennessee to \$6.15 an hour and is essentially the same legislation as **HB 3318**. The Commissioner of Labor and Workforce Development is delegated rulemaking authority.

The committee **reviewed and referred HB 3076** by **Representative Curtiss** to the Commerce Committee. This legislation makes several changes to present licensing procedures for licensed plumbers. Some of the changes include providing exemptions to persons who are licensed manufactured home stabilizing systems installers, manufacturers or installers of modular building units, or manufactured home manufacturers from having to obtain a separate plumbing license as long as the plumbing work performed is no greater than \$25,000. The Board of Licensing Contractors would be empowered with rulemaking authority in order to implement the provisions of this legislation.

Because of time constraints, the rest of the calendar was rolled to next week.





Full Committee

The **Health & Human Resources Committee** met Tuesday morning, March 14, 2006, to consider three bills. **HB 2642** (Hensley) that requires the governor to remove from office any member of the Board of Medical Examiners after three unexcused absences during a 12 month time period was referred to C&R. **HB 3065** (Shepard) as amended was referred to C&R. As amended, HB 3065 clarifies existing statutory requirements of the Tennessee Affordable Drug Act of 2005 relative to a patient's right to request a brand name drug and the responsibility of the pharmacist with such a request. **HB 3205** (Odom) that allows licensed chiropractors to practice acupuncture as part of their chiropractic practice received considerable discussion and testimony before being referred 12-7-1 on a roll call vote to FW&M.

After completing the calendar, the committee heard a brief presentation from Debra Heeney with the Tennessee Health Care Association (THCA). According to Ms. Heeney, THCA represents over 300 nursing homes across the state.

Health Care Facilities Subcommittee

The **Health Care Facilities Subcommittee** did not have bills on calendar Tuesday afternoon; however, the subcommittee met to hear from Judy Eads, Assistant Commissioner with the Department of Health's Bureau of Health Licensure and Regulation. Ms. Eads gave an update on sprinkler installations in long-term care facilities.

Mental Health Subcommittee

The **Mental Health Subcommittee** did not have bills on notice and did not meet Tuesday afternoon.

Public Health Subcommittee

The **Public Health Subcommittee** met Wednesday morning, March 15, 2006, with six bills on calendar. **HB 2632** (Curtiss) that establishes a task force to analyze the high prescription drug use in Tennessee and make recommendations to reduce such use without impacting the quality of patient care was amended and referred to full committee. The subcommittee amendments change the membership composition of the task force and delete language in the printed bill concerning the legislative intent of the 104<sup>th</sup> General Assembly re-

lated to providers' prescribing privileges.

**HB 2844** (Curtiss) that requires the Division of Mental Retardation to establish a task force to conduct a statewide needs assessment of persons with developmental disabilities other than mental retardation for whom home and community-based services do not exist and to develop a plan to provide home and community-based services for such persons was referred to full committee. **HB 2970** (Cooper, B.) as amended was referred to full committee. The amendment rewrites the bill to require that child care providers receive notice within 48 hours that a child's certificate has been terminated and to require parents of children that receive a certificate comply with their contractual commitment with the child care provider. **HB 2977** (Cooper, B.) that directs the Comptroller of the Treasury to conduct a study concerning the implementation and impact of the "Three Star System" of voluntary rating of child care agencies and to conduct a study of the requirements concerning transportation related to child care providers was referred to full committee. Rep. Godsey rolled **HB 3556** three weeks. **HB 3582** (DeBerry, L.) that authorizes a mother to breastfeed a child who is 12 months of age or younger in any location where they are otherwise authorized to be present was referred to full committee.

Professional Occupations Subcommittee

The **Professional Occupations Subcommittee** did not have bills on notice and did not meet Wednesday afternoon.

## The Full Judiciary Committee

On Tuesday, the **Full Judiciary Committee** met to discuss twelve bills. HB 1666 by Rep. Stanley was taken off notice. Also, HB 1865 by Rep. McMillan was taken off notice. **HB 2652** by Rep. Bunch, as amended, was approved for passage and **sent to the Calendar & Rules Committee**. HB 2652 allows Bradley County's forensic laboratory to collect and retain fees for conducting tests used to determine drug and alcohol content of blood.

The following bills were rolled for 1 week:

HB 57 by Rep. Shaw  
 HB 1362 by Rep. Overbey  
 HB 2842 by Rep. Coleman  
 HB 2625 by Rep. McMillan  
 HB 2840 by Rep. Coleman  
 HB 3592 by Rep. Curtiss

The following bills were approved for passage and **sent to the Finance, Ways, and Means Committee**:

- **HB 2838** by Rep. Coleman, as amended, expands the definition of sexual battery by an authority figure to include a victim 13 years of age or older, but less than 18 yrs; or a victim who was mentally defective, mentally incapacitated, or physically helpless regardless of age and the defendant was in a position of trust or defendant had parental or custodial authority over the victim.
- **HB 2837** by Rep. Coleman makes it a Class E felony for any person to willfully abuse, neglect, or exploit any adult. The current penalty is a Class A misdemeanor.
- **HB 3427** by Rep. McMillan authorizes the governor to enter into a multi-state task force to study and make recommendations relating to law enforcement and other issues concerning methamphetamine.

## Civil Practice & Procedure Subcommittee

At the beginning of the Civil Practice and Procedure Subcommittee meeting, Chairman Briley announced that the Civil Practice & Procedure Subcommittee will have its last committee meeting for this legislative session on Tuesday, March 28<sup>th</sup> at 10:30 a.m. Any member, who wishes to have his or her bill heard this

year, must put the bill on notice by Wednesday, March 21<sup>st</sup>. The Civil Practice & Procedure Subcommittee met to discuss the bills dealing with eminent domain. After a lengthy discussion, **HB 3450** by Rep. Fowlkes was approved for passage to the Full Judiciary Committee. HB 3450 sets out the intent of the general assembly with regard to the use of eminent domain power by governmental entities. The bill defines what is and isn't a public use. Also, land used predominately in the production of agriculture would not be considered a blighted area. The bill requires a city or county who exercises the power of eminent domain for the development of an industrial park to obtain a certificate of public purpose and necessity from the state, which is evaluated by a committee, before they exercise this power. Also, there are a number of entities named in the bill that will have their power of eminent domain removed.

The following house bills failed for a lack of majority:

HB 3590 by Rep. DuBois  
 HB 2679 by Rep. Campfield  
 HB 2682 by Rep. Campfield

The following house bills were taken off notice:

HB 2426 by Rep. West  
 HB 2766 by Rep. McDonald  
 HB 2428 by Rep. Swafford  
 HB 2771 by Rep. Bunch  
 HB 2429 by Rep. Mumpower  
 HB 2888 by Rep. Rowland  
 HB 2432 by Rep. McDonald  
 HB 3029 by Rep. Maddox  
 HB 2438 by Rep. DuBois

HB 3221 by Rep. Kelsey  
 HB 2473 by Rep. Winningham  
 HB 3774 by Rep. Rinks  
 HB 2514 by Rep. Fowlkes  
 HB 3775 by Rep. Rinks  
 HB 2695 by Rep. Dunn  
 HJR 779 by Rep. Davis

House bills rolled 1 week:

HB 3462 by Rep. Buck  
 HB 3843 by rep. Lynn  
 HB 2683 by Rep. Campfield



Rep.  
Coleman

# JUDICIARY

House bills rolled 2 weeks:

HB 2481 by Rep. Sargent  
HB 2483 by Rep. Sargent  
HB 2641 by Rep. Hawk  
HB 3128 by Rep. Strader  
HB 3299 by Rep. Niceley  
HB 3302 by Rep. Niceley  
HB 3303 by Rep. Niceley  
HB 3308 by Rep. Niceley  
HB 3977 by Rep. Lynn

## Criminal Practice & Procedure Subcommittee

The Criminal Practice & Procedure Subcommittee met on Tuesday to discuss nineteen bills. The Criminal Practice and Procedure Subcommittee will hear all house bills dealing with DUI as its subject matter at 11:30 on Tuesday, March 21. HB 1399 by Rep. McCord was rolled 3 weeks.

The following bills were **approved for passage to the Full Judiciary Committee**:

- **HB 3832** by Rep. McMillan designates that any person who treats a child under 18 years old in a manner so as to inflict injury commits child abuse. Also, the bill raises the age limit from six years old to eight years as the maximum victim's age for the offense of knowingly inflicting injury on a child, which makes it a Class D felony. Also, the bill raises the age from thirteen years old to eighteen years old as the maximum age for the offense of knowing neglect or child endangerment and raises the age from six years old to eight years old to be a Class E felony for that offense.
- **HB 3833** by Rep. McKee creates a new Class A felony of aggravated rape of a child when a child is ten years old or younger.
- **HB 3088** by Rep. S. Jones requires employees of juvenile detention centers and temporary holding facilities to submit to background checks currently required by all other child care providers.
- **HB 3643** by Rep. Todd makes it an offense for any person or company to offer to pay a motor vehicle traffic citation for a person who purchased any device such as a radar detector

from the person or company so as to interfere or diminish law enforcement's ability to measure the speed of a motor vehicle. The sponsor explained the purpose was to prevent a company's inducement of the sale of a radar device through its promise to pay a citation as well as prevent a company from encouraging individuals to break the law.

- **HB 2824** by Rep. Todd adds nolo contendere plea to the definition of conviction for the purposes of requiring a sexual offender who pleads this plea for an out of state offense to be required to register with the Tennessee Sexual Offender Registry.
- **HB 2825** by Rep. Todd increases fines and jail terms for certain violations of the sexual offender registration law.
- **HB 3877** by Rep. Coleman authorizes the violations of adult driving while impaired and drag racing to be considered individually as part of the definition of what constitutes a habitual offender.

Rep. Todd



The following bills were rolled for 1 week:

HB 3678 by Rep. Dunn  
HB 2955 by Rep. Montgomery  
HB 3113 by Rep. Casada  
HB 3116 by Rep. Casada  
HB 3465 by Rep. Curtiss  
HB 2586 by Rep. Ferguson  
HB 2765 by Rep. Strader

House bills rolled 2 weeks:

HB 415 by Rep. Towns  
HB 932 by Rep. Towns  
HB 3155 by Rep. McCormick  
HB 3557 by Rep. Sontany

## Constitutional Protections Subcommittee

The Constitutional Protections Subcommittee met on Wednesday to discuss fourteen bills. HB 3300 by Rep. Niceley, which would prohibit private employers from prohibiting any person who has a valid gun permit from storing a firearm and ammunition on that owner's property, failed for a lack of second.

# JUDICIARY

The following bills were **approved for passage to Full Judiciary Committee**:

- **HB 3212** by Rep. Kelsey, as amended, states the operation of a computer network in such a way that allows anonymous access to it will constitute implicit consent to its use.
- **HB 2649** by Rep. Godsey requires a DNA sample to be taken by law enforcement from any person arrested for a violent felony.
- **HB 3880** by Rep. Stanley amends the definition of nuisance by replacing the word assignation with the word prostitution as well as expands the definition of place to include all the property on which a nuisance is located that is under the ownership, management, or control of the violator.
- **HB 3840** by Rep. R. Johnson adds post trial proceedings to the circumstances in which a judge may order a competency evaluation of a defendant.
- **HB 3879** by Rep. R. Johnson requires all applicants seeking a professional bondsman license to undergo a criminal background check. The bill also requires TBI to submit the results of its investigation to the clerks of courts responsible for regulating the bondsman.

The following bills were rolled for 1 week:

HB 2500 by Rep. Lynn  
HB 3023 by Rep. Maddox  
HB 3527 by Rep. Dunn  
HB 3834 by Rep. Stanley  
HB 3218 by Rep. Kelsey  
HB 2860 by Rep. Overbey  
HB 1742 by Rep. Hargett  
HB 2957 by Rep. McCord

## **Judicial Administration Subcommittee**

The Judicial Administration Subcommittee heard eleven bills. **HB 3769** by Rep. Rinks was sent to the **Council on Pensions and Insurance**.

The following bills were **approved for passage to the Full Judiciary Committee**:

- **HB 3579** by Rep. Coleman changes the definition of district attorney general for the purpose of wiretapping or electronic surveillance from any judicial district where the communication is intercepted to any judicial district where jurisdiction exists to prosecute an offense or where the communication interception occurs.
- **HB 3304** by Rep. Niceley creates an elective Office of the Solicitor General allowing any candidate for the office of solicitor general to be qualified as a political party candidate. Among the many changes, the bill gives the solicitor general jurisdiction, supervision, and administrative control over the Tennessee registry of election finance.



within county limits.

- **HB 2504** by Rep. Harmon, as amended, allows a county that has constructed a criminal justice building, facility or uses a building or facility that is not located within the limits of the county town to hold criminal court in the building provided it is within county limits.
- **HB 3578** by Rep. Sontany creates the position of an assistant victim witness coordinator in ten judicial districts.
- **HB 3878** by Rep. Coleman eliminates appeals from negotiated plea agreements which incorporate an agreed disposition in delinquent and unruly juvenile cases.
- **HB 3433** by Rep. Bone requires the Department of Agriculture to treat laboratory records maintained in the animal disease diagnostic laboratory as confidential and not open for inspection by members of the public.

Rolled 1 week:

HB 2437 by Rep. DuBois  
HB 2951 by Rep. Stanley  
HB 2953 by Rep. Stanley  
HB 2948 by Rep. Stanley



## State and Local Government Full Committee

This week in the **State and Local Government** full committee, the following bills **passed to Finance, Ways and Means**.

- **HB 2493 (Rep. Borchert)** creates a state burial assistance fund for state veterans.
- **HB 2777 (Rep. Overbey)** allows the surviving spouse of a veteran whose death was combat related to apply for property tax relief.
- **HB 3566 (Rep. M. Turner)** extends the \$25,000 death benefit to full-time firefighters, sheriffs, sheriff's deputies, and police officers if they are killed in the line of duty.
- **HB 3551 (Rep. McCord)** exempts church owned properties in premier type tourist resort cities from special assessment taxation.
- **HB 2614 (Rep. Tidwell)** expands the Tennessee River Resort District Act to include additional cities and counties.
- **HB 2492 (Rep. Borchert)** gives assistance toward daily costs for state veterans living in a state veterans home that are not otherwise covered by the U.S. Department of Veterans Affairs or by private insurance.
- **HJR 0729 (Rep. M. Turner)** creates a joint study committee to study the fiscal impact of illegal immigration on the state.
- **HB 3247 (Rep. Brooks, Knox)** deals with the training of government and private employees who are not law enforcement officers but whose jobs impact public safety and security.

The following bills went to **Calendar and Rules**:

- **HB 3152 (Rep. Mike Turner)** places a limit on aggregate contributions from individuals to all candidates and Political Action Committees to \$25,000 annually. This bill will also limit Political Action Committee contributions to \$2,500 per candidate per election.
- **HJR 0739 (Rep. Barbara Cooper)** names December 1, 2006 as "Rosa Parks Day" in Tennessee.
- **HB 3320 (Rep. Pruitt)** expands the definition of convention center to include the symphony hall in Davidson County for the purpose of selling alcoholic beverages.
- **HB 2538 (Rep. Fowlkes)** authorizes Marshall County to provide for the compensation of members of the Board of Public Utilities in that county.
- **HB 2667 (Rep. Fowlkes)** allows the Duck

River Development Agency to invest idle funds to the same extent as utility districts may invest idle funds. The following bills went to **Calendar and Rules**:

- **HB 0988 (Rep. Turner)** authorizes employee organizations to represent employees before civil service commissions.
- **HJR 0752 (Rep. Fowlkes)** designates the Kiwanis Club of Giles County's Tennessee Barbeque Cook-Off a Tennessee State Championship Barbeque Cook-Off.
- **HB 2565 (Rep. West)** extends the hours when alcoholic beverages can be sold and consumed on the premises of the Hermitage.

The remaining bills on the calendar were rolled, with the exception of HB 2482, HB 0042 and HB 0112, which were taken off notice. HB 0139 was assigned to the State Subcommittee.

## State Government Subcommittee

This week in the **State Government Subcommittee**, **HB 3022, by Rep. Maddox**, was passed to full committee. This bill allows the joint economic and community development board of a county to transfer or donate funds from participating governments to public or non-profits to be used for economic or industrial development. **HB 2694, by Rep. Dunn**, was also passed to full committee. This bill defines local and state public official for the purpose of clarifying the law regarding the prohibition of receiving honorariums. **HB 2569, by Rep. West**, allows state department heads to establish four-day work weeks for full-time state employees.

## Local Government Subcommittee

This week in the **Local Government Subcommittee**, **HB 2816, by Rep. Moore**, was passed to full committee. This bill increases the maximum amount of annual income received by an elderly low-income or disabled homeowner seeking property tax relief from \$12,980 to \$13,370. **HB 3441, by Rep. Lynn** authorizes the utility management review board to take certain actions to make sure that serious audit findings regarding a utility district are properly addressed. **HB 430, by Rep. Harry Brooks** allows the use of blue lights on official motor vehicles of municipal police departments in Knox County that are driven by reserve and auxiliary officers.

## Elections Subcommittee

This week in the **Elections Subcommittee**, **Rep. Henri Brooks** passed **HBs 2518, 2897, and 2898** to full committee. **HB 2518** requires an automatic recount of all votes in any election where the voter margin of the top two candidates is within  $\frac{1}{2}$  of 1 percent of the total vote cast. **HB 2897** requires the county election commission to provide additional notices to all voters when there is a special primary election. **HB 2898** requires that election officials and alternates names be drawn randomly from a pool of persons willing to serve on election day in counties having more than 100,000 voters.

## Full Committee



ViceChair Buck

The **House Transportation Committee** convened on March 14, 2006, to consider sixteen bills. Action on **HB828** (P. Johnson), **HB2668** (Hensley), **HB2962** (Hensley), **HB2443** (Pinion), and **HB2903** (Rowland) was deferred for one week. **HB2435** (DuBois), which authorizes issuance of Daughters of the American Revolution new specialty earmarked license plates, was referred to the Special License Plate Committee.

The following bills were passed by the committee and referred to the **House Finance, Ways, and Means Committee**:

**HB3532** (McDonald) - "Danny S. Young Memorial Bridge," State Route 386 (Vietnam Veterans Boulevard) in Sumner County highway signs.

**HB2558** (Shaw) - "Sheriff Bennie E. Howell Memorial Bridge," State Route 125 in Hardeman County highway signs.

**HB2434** (Ferguson) - "Deputy Alan Wayne Shubert Memorial Highway," segment of State Route 58 in Roane County highway signs.

**HB2452** (Ferguson) - "Deputy Dennis Ray Armes Memorial Highway," segment of State Route 58 in Roane County highway signs.

**HB2453** (Ferguson) - "R.L. (Bob) Collier Parkway," segment of State Route 58 in Roane County highway signs.

**HB3089** (Litz) - "Dr. Hubert J. Bell, Jr. Bridge," Merchants/Greene Boulevard (State Route 66) in Hamblen County highway signs.

The following bills were passed by the committee and referred to the **House Calendar and Rules Committee**:

**HB2448** (McDonald) - As amended, allows private citizens who maintain property within a right-of-way to remove and dispose of unlawful outdoor advertising at their own expense.

**HB2958** (McCord) - Exempts from building height restrictions property along Pellissippi Parkway within the corporate limits of the city of Alcoa which is now or hereafter zoned for planned commercial zones or any similar zoning category under the zoning ordinances of the city. An amendment adding a severability clause to the bill was adopted.

**HB2670** (Hackworth) - Requires any business providing handicapped parking spaces to also include van accessible parking spaces, effective after July 1, 2006.

**HB3380** (Davidson) - Allows private organizations that contract with the department of safety to conduct motorcycle rider education courses to charge a tuition fee, but requires the department to determine the maximum tuition fees for organizations that receive a start-up grant subsidy for such course.

Chairman Fraley



## Public Safety & Rural Roads Subcommittee

The **Public Safety & Rural Roads Subcommittee** met March 14, 2006, to consider eight bills. Action on **HB3073** (Rowland) was deferred for one week. **HB3758** (Godsey) was taken off notice. **HB2562** (Hackworth) was deferred to 2007.

The following bills were referred to the **full Transportation Committee**:

**HB2595** (Hood) - Enacts the Unattended Children in Motor Vehicle Safety Act creating escalating fines for leaving children under age eight unattended in a motor vehicle where conditions present a risk to child's health or safety, the engine is running, or keys are accessible to a child.

**HB1694** (Stanley) - Allows in a motor vehicle a video entertainment center visible to the driver, but only if the entertainment center is only operated while the vehicle is stopped, and a monitor on a piece of audio equipment where the video capability is not the equipment's primary function.

**HB2650** (Godsey) - Permits the windows rearward of the front doors of vehicles bearing government service license plates that are used for law enforcement purposes to be exempt from window tinting specifications.

**HB3818** (Shepard) - Highway Signs for "Sgt. Roger D. Rowe Memorial Bridge," State Route 840 in Williamson County.

**HB3584** (Tidwell) - As amended, corrects an inaccurate acronym reference for Consumer Product Safety Commission to be affixed on crash helmets from CSPM to CPSC while also adding the Southern Impact Research Center (SIRC).

## Public Transportation & Highways Subcommittee

The **Public Transportation & Highways Subcommittee** met on March 14, 2006 to consider thirteen bills. Action on **HB2623** (McMillan), **HB3631** (McDaniel), **HB3632** (McDaniel) and **HB3633** (McDaniel) was deferred for one week. **HB3900** (Harmon) was deferred two weeks. **HB2525** (Fowlkes) was taken off notice.

The following highway sign bills were **passed to the full Transportation Committee**:

**HB2915** (Mumpower) - "Larry Carrier Memorial Interchange - Founder of Bristol International Speedway," State Route 394 and U.S. Highway 11-E in Sullivan County.

**HB2916** (Mumpower) - "Robert Taylor Scott Memorial Bridge" State Route 34, U.S. 421, over Beaver Dam Creek in Johnson County.

**HB3647** (Mumpower) - "Dr. James A. Street Memorial Bridge," State Route 126 and Steele Creek Drive in Sullivan County.

**HB3494** (Watson, E.) - "First Lieutenant I.J. Wright Memorial Parkway," U.S. Highway 411 in City of Benton.

**HB2651** (Godsey) - "Larry Carrier Memorial Parkway - Founder of Bristol International Speedway," segment of U.S. Highway 11E in City of Bristol.

**HB3107** (Johnson, P.) - "Sergeant Gary Lee Reese, Jr. Bridge," Sycamore Creek on State Route 49 in Cheatham County.

**HB3622** (Johnson, P.) - Expresses intent to name appropriate bridge on State Route 840 in honor of late Sergeant Gary Lee Reese, Jr., Tennessee National Guard.



# Budget Hearings

## HUMAN RIGHTS COMMISSION

### KRISTINA RYAN

The Human Rights Commission presented its 2006 -07 budget to the House Finance, Ways and Means Committee on February 21, 2006. Executive Director Amber Gooding represented the agency. The Human Rights Commission is a state agency that is charged with the responsibility of proper enforcement of the Civil Rights Act of 1964. The Commission is governed by a Board of Commissioners that is appointed by the Governor and consists of five members from each grand division. In addition, there are four offices in each major city in the state. For fiscal year 2006-07, the agency did not ask for any additional improvements in this year's budget nor has the agency requested any improvements for the past two years.

The Commission's total recommended budget for 2006-2007 is **\$2,082,800**.

<u>Funding Sources</u>	<u>Expenditures</u>
State - \$1,533,500	Payroll - \$1,579,700
Federal - \$ 549,300	Operational Expenses - \$ 503,100
Total - \$ 2,082,800	Total - \$2,082,800

**DEPARTMENT OF MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES**  
**DEPARTMENT OF FINANCIAL ADMINISTRATION - DIVISION OF MENTAL RETARDATION SERVICES**

**JUDY NARRAMORE**

**Department of Mental Health and Developmental Disabilities**

Commissioner Virginia Trotter Betts presented the Department of Mental Health and Developmental Disabilities (MHDD) proposed budget for FY 2006-07 to the House Finance, Ways and Means Committee on March 7, 2006. The Department's **proposed budget totals \$249,488,100**, which includes **\$137,190,400 in state appropriations**, \$21,597,100 in federal revenue, and \$90,700,600 in "other" funding. There are 2,867 positions in MHDD.

The Department has **two improvement requests** for FY 2006-07 to replace expiring federal grant programs:

1. Housing Within Reach Grant (\$219,100): The Housing Within Reach Program supports community personnel in the MHDD housing initiative who assist persons with mental illness with permanent housing.
2. Peer Power Resilience Anti-Violence Program (\$100,000): The Peer Power Program is a school-based violence prevention program designed to provide students with conflict resolution strategies and skills.

	<b>Base 2006-2007</b>	<b>Improvement 2006-2007</b>	<b>Recommended 2006-2007</b>
State	\$136,871,300	\$319,100	\$137,190,400
Federal	21,597,100	0	21,597,100
Other	90,700,600	0	90,700,600
<b>TOTAL</b>	<b>\$249,169,000</b>	<b>\$319,100</b>	<b>\$249,488,100</b>

**F&A – Division of Mental Retardation Services**

Stephen Norris, Deputy Commissioner of the Department of Finance and Administration –Division of Mental Retardation Services, presented the Division's recommended budget for FY 2006-07 to the House Finance, Ways and Means Committee on March 7, 2006. The Division's **proposed budget totals \$824,517,600**, which includes **\$81,772,800 in state appropriations**, \$2,602,700 in federal funds, and \$740,142,100 in "other" revenue. Improvement funding (\$66,607,300) in community services is requested to provide non-recurring funds to comply with the Brown Lawsuit settlement. The proposed budget includes 3,906 positions for the Division.

	<b>Base 2006-2007</b>	<b>Improvement 2006-2007</b>	<b>Recommended 2006-2007</b>
State	\$ 81,772,800	\$ 0	\$ 81,772,800
Federal	2,602,700	0	2,602,700
Other	673,534,800	66,607,300	740,142,100
<b>TOTAL</b>	<b>\$757,910,300</b>	<b>\$66,607,300</b>	<b>\$824,517,600</b>

## DEPARTMENT OF CORRECTION

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LAWRENCE HALL, JR.

On March 2, 2006, Commissioner George Little of the Department of Correction presented the department's 2006-2007 budget requests to the House Finance, Ways and Means Committee. The commissioner stated that the department employs 5,338 people and the goal is to provide a safe and secure environment by providing supervision of all the felons in the department's control. The department is responsible for managing 12 facilities. The cost of housing the inmates is an average cost of \$55.24 per day per inmate.

The total requested 2006-2007 budget for the Department of Correction is **\$610,393,400**. This number represents a base amount of **\$596,564,700** and **\$13,828,700** in department improvements. The improvements requested in this budget include contract increases as a result of an annual inflator clause for the privately operated facilities. There is also an improvement request for Mental Health Services and Health Services contracts.

### **Improvements:**

Administration	\$ 53,100
State Prosecutions	\$5,000,000
Corrections Academy	\$ 2,400
Wayne Count Boot Camp	\$ 103,000
Brushy Mountain Corr. Complex	\$2,399,800
Tennessee Prison for Women	\$ 187,900
Turner Center Industrial Prison and Farm	\$ 295,500
Mark Luttrell Correctional Facility	\$ 103,600
Charles B. Bass Corr. Complex	\$ 237,100
Southeastern Tenn. St. Reg. Corr. Facility	\$ 239,500
Hardeman County	\$ 951,000
Whiteville Corr. Facility	\$ 845,400
West Tenn. State Pen.	\$ 631,000
Northeast Corr. Complex	\$ 846,300
Riverbend Maximum Security Institution	\$ 158,200
South Central Corr. Center	\$1,054,100
Northwest Correctional Complex	\$ 524,100
Lois M. DeBerry Special Needs Facility	\$ 196,700
<b>Total Improvements</b>	<b>\$13,828,700</b>

The four areas of public higher education presented their 2006-2007 budgets to the Finance, Ways and Means Committee on March 9. A summary of these proposals follows.

### **Tennessee Higher Education Commission**

Dr. Richard Rhoda, Executive Director of the Tennessee Higher Education Commission, presented their 2006-2007 budget. While the Commission's primary objectives are varied, there are four distinct goals in their mission. They are as listed:

- Providing more access for more Tennesseans to higher education;
- Working with K-12 programs to better prepare students as they continue their education;
- Affordability for Tennessee students; and
- Excellence in performance.

The Geier Desegregation settlement was approved in U.S. District Court in January, 2001. The plan was to be implemented in four years beginning January 4, 2001. This spending continues into next fiscal year. As this funding ends, the Administration intends to continue financial support to provide monies directed toward equity and access initiatives in recurring budgets.

The THEC budget request follows.

	Base	Improvements	Recommended
State	290,615,800	26,870,900	317,486,700
Federal	133,246,000	0	133,246,000
Other	23,242,100	0	23,242,100
<b>TOTAL</b>	<b>\$447,103,900</b>	<b>\$26,870,900</b>	<b>\$473,974,800</b>

### **The University of Tennessee**

Dr. John Peterson, President of the University of Tennessee System, next addressed their proposed budget. He shared that there is a 59 percent graduation rate in the total system with a 64 percent on the Knoxville campus. Kiplinger recently named UT one of the top 50 best values in higher education in the nation. The school has a strong interest in research work and partners with a number of private and public agencies. The Oak Ridge National Laboratory is one such agency. He further shared that since the Geier Settlement, African-American student numbers have increased from 5 percent to 12 percent.

The UT budget request follows.

	Base	Improvements	Recommended
State	439,242,900	6,144,900	445,387,800
Federal	57,546,500	0	57,546,500
Other	227,143,700	0	227,143,700
Tuition/Fees	290,772,200	0	290,772,200
<b>TOTAL</b>	<b>\$1,014,705,300</b>	<b>\$6,144,900</b>	<b>\$1,020,850,200</b>



### **Tennessee Board of Regents**

The Board of Regents Chancellor Charles W. Manning discussed his division's 2006-2007 budget. In 2005 the Board developed a Strategic Plan setting goals through the year 2010. The system is the largest system of education in the state and the sixth largest in the nation. The Board is made up of six universities, 13 Community Colleges, and 27 Tech Centers. In addition there is a system-wide e-learning program serving Tennesseans. They have seen continued and growing success in the P16 programs across the state helping communities identify and solve local problems.

The Board of Regents budget follows.

	Base	Improvements	Recommended
State	1,375,482,600	37,270,900	1,412,753,500
Federal	200,534,100	0	200,534,100
Other	435,718,200	0	435,718,200
Tuition/Fees	879,772,300	0	879,772,300
<b>TOTAL</b>	<b>\$2,891,507,200</b>	<b>\$37,270,900</b>	<b>\$2,928,778,100</b>

### **Tennessee Student Assistance Corporation**

Dr. Robert Ruble, Executive Director, presented the 2006-2007 TSAC budget. This is a non-profit corporation that administers state and financial student aid programs. He explained that there are two important programs in TSAC, the Lottery scholarship and a need based award, the TSAA. This award goes to those who financially need assistance in attending college. A fourth of these recipients also receive the Lottery scholarship.

The TSAC budget request follows.

	Base	Improvements	Recommended
State	1,357,300	0	1,357,300
Federal	4,988,900	0	4,988,900
Other	14,372,500	0	14,372,500
<b>TOTAL</b>	<b>\$20,718,700</b>	<b>0</b>	<b>\$20,718,700</b>

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